

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

In re:

Case No. 04-62224

TERRY S. HEARN

Chapter 13

Debtor.

Hon. Phillip J. Shefferly

TERRY S. HEARN,

Adversary Case No. 05-5330

Plaintiff,

v

BANK OF NEW YORK and
COUNTRYWIDE HOME LOANS, jointly
and severally,

Defendants.

**DEFENDANT, COUNTRYWIDE HOME LOANS, AS NOMINEE FOR BANK OF
NEW YORK'S, MOTION FOR SUMMARY JUDGMENT
PURSUANT TO FED. R. BANKR. P. 7056**

Now comes Defendant, Countrywide Home Loans, as Nominee for Bank of New York ("Countrywide"), by and through its counsel, Myers & Allmand, PLLC, and for the reasons set forth in the accompanying Brief in Support of Countrywide's Motion for Summary Judgment Pursuant to Fed. R. Bankr. P. 7056, respectfully requests that this Court grant its Motion for Summary Judgment and enter the Order in the form attached hereto as Exhibit A.

MYERS & ALLMAND, PLLC, Attorneys for
Countrywide Home Loans, as Nominee for
Bank of New York

By: /s/ Jessica B. Allmand

Jessica B. Allmand (P59128)

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DATED: October 21, 2005

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